

REMARKS

In the Office Action mailed June 13, 2003, the Examiner noted that claims 1-28 were pending, allowed claims 23 and 24, objected to claims 11, 13 and 22 and rejected claims 1-10, 12, 14-21 and 25-28. Claims 1 and 11-22 have been amended, new claim 29 has been added and, thus, in view of the forgoing claims 1-29 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections and objections are traversed below.

In the Office Action the Examiner objected to claims 11, 13 and 22 and indicated that these claims would be allowable if rewritten in independent form. These claims have been so rewritten and it is submitted that these claims are now allowable. Withdrawal of the objection is requested.

On page 2, the Examiner rejected claims 1, 5, 12, 14-16 and 19 over Kobayashi. Claims 1, 12 and 14-16 are independent claims.

The present invention of these claims include an operation on the transmitting side as well as the reception side of "generating and initiating a process" that acts as a local "logical" destination or reception destination for a communication sent./received by a radio. This process is generated in the transmission/receiving apparatus. This generation of a process is sometimes called the spawning of a process within the US software community. This generated process can create a buffer, however, a different process obtains the data from or loads the buffer.

The Examiner on Office Action page 2 particularly alleges that the LLC layer processors 34 correspond to the generating of the local logical destination process of the present invention. However, the LLC layer processors 34 of Kobayashi exist essentially at all times during the communication processes of Kobayashi. See col. 3, lines 14-19 and 52-60 where the description notes that a processor 34 is selected (implying that it already exists) and the processor already has ("having") a logical link to the destination station. That is, there is no generating or spawning of a process in Kobayashi.

In addition, the processors 34 of Kobayashi do not act as a logical destination. See col. 3, lines 43-51 where the discussion indicates that the processors perform store and forward operations, activities typically not associated with a logical destination.

On page 3 of the Office Action, at the top, the Examiner alleged that Kobayashi uses a virtual circuit and a buffer. The present invention of claim 1 uses a virtual circuit internally in the

transmitting apparatus to send the data to the process generated or spawned in the apparatus where within the generated process the data is stored in a process buffer. Kobayashi at col. 4, lines 13-15 describes establishing a virtual circuit between the transmitting source terminal and receiving or destination terminal. This is very different from the present invention. In addition, there does not appear to be any discussion in Kobayashi concerning using a virtual circuit internal to the transmitting source terminal. Please confirm whether our understanding of these aspects of the invention and Kobayashi are correct. If so, we will point this distinction out to the Examiner.

Claims 1-10, 12 and 14-21 emphasize the features of the present invention discussed above. And it is submitted that the present claimed invention patentably distinguishes over Kobayashi and withdrawal of the rejection is requested.

On Office Action page 4, the Examiner rejected claim 25 over Rothschild.

The invention of claim 25 calls for communication over a radio communications system. We note that Rothschild does not mention "radio" at all in the Rothschild specification, claims or abstract. That is, Rothschild suggests nothing about communication over a radio channel. The Examiner appears to allege that the wide area network (WAN) mentioned by Rothschild at col. 8, line 24 is equivalent to a radio communication system. Contrary to the Examiner's assertion, Rothschild indicates that a WAN is a telephone line network (see col. 2, lines 34-46). Wide Area Networks communicate typically over leased telephone lines. The Examiner also seems to be comparing the network interface 155 with the protocol of the radio channel. The network interface 155 is noted at col. 12, lines 38-60 as being hardware and is described differently than the protocols mentioned in Rothschild. A protocol is a set of rules for the exchange of data between computers or processes. Since Rothschild says nothing about radio channel communication, Rothschild says and suggests nothing about using radio channel protocols as emphasized in claim 25. It is submitted that the present claimed invention of claim 25 patentably distinguishes over Rothschild and withdrawal of the rejection is requested.

On page 5 of the Office Action, the Examiner rejected claim 27 (and apparently claim 26) as obvious over Sridhar and Rothschild. Sridhar, like Rothschild, does not mention radio communication at all and particularly does not mention using radio channel protocols as called for in claims 26 and 27. On page 6, the Examiner appears to equate the communication modules 663 and the connection with the client 610 with a radio channel. Sridhar describes the modules 663 as implementing the functionality of the gateway computer 612 (see col. 14, lines

24-28) and says noting about the modules using radio communication. Communication between the gateway 612 and the client 610 is via TCP over the Internet not by radio (see col. 8, lines 14-18). This is very different from radio communication using radio protocols as called for in claims 26 and 27. It is submitted that the present claimed invention of claims 26 and 27 patentably distinguishes over Sridhar and Rothschild and withdrawal of the rejection is requested.

On page 8 the Examiner rejects claim 28 (dependent on claim 27) over Sridhar, Rothschild and Mourad.

Mourad adds nothing to Sridhar and Rothschild with respect to the features of the claim 27. It is submitted that the present claimed invention of claims 26 and 27 patentably distinguishes over Sridhar, Rothschild and Mourad, and withdrawal of the rejection is requested.

Pages 9, 10, 12 and 14 reject claims dependent 2, 3, 4, 6, 7, 8, 9, 17, 18, 20 and 21 over various combinations of Kobayashi, Rothschild and Shimojo.

Shimojo adds nothing to Kobayashi and Rothschild with respect to the features the invention

The dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art. It is submitted that the dependent claims are independently patentable over the prior art.

New claim 29 also emphasizes the features of the present invention as discussed above. Nothing in the prior art teaches or suggests such. It is submitted that this new claim distinguishes over the prior art.

It is also submitted that claims 11, 13, 22, 23 and 24 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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